

Coast Guard, DHS

§ 150.445

the deepwater port. They must indicate, by initialing each item on the declaration of inspection form, that the tanker and deepwater port comply with §156.150 for oil, or §127.317 for natural gas, of this chapter.

§ 150.435 When are cargo transfers not allowed?

No person may transfer cargo at a deepwater port:

- (a) When the person in charge (PIC) of cargo transfer is not on duty at the deepwater port;
- (b) During an electrical storm in the deepwater port's vicinity;
- (c) During a fire at the port, at the onshore receiving terminal, or aboard a vessel berthed at the port, unless the PIC of cargo transfer determines that a cargo transfer should be resumed as a safety measure;
- (d) When a leak develops so that a sufficient quantity of product accumulates in the cargo containment underneath the manifold or piping;
- (e) When there are not enough personnel nor equipment at the port dedicated to contain and remove the discharge or perform the emergency response functions as required in the port's response plan under part 154 for oil, or emergency plan under part 127 for natural gas, of this chapter;
- (f) Whenever the emergency shutdown system should have activated but failed to;
- (g) By lighterage, except in bunkering operations, unless otherwise authorized by the Sector Commander, or MSU Commander, with COTP and OCMI authority;
- (h) When the weather at the port does not meet the minimum operating conditions for cargo transfers as defined in the port's operations manual; or
- (i) When prescribed by the deepwater port security plan under heightened security conditions at the deepwater port or its adjacent areas, or on vessels calling on or serving the deepwater port.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

§ 150.440 How may the Sector Commander, or MSU Commander, with COTP and OCMI authority order suspension of cargo transfers?

(a) In case of emergency, the Sector Commander, or MSU Commander, with COTP and OCMI authority may order the suspension of cargo transfers at a deepwater port to prevent the discharge, or threat of discharge, of oil or natural gas, or to protect the safety of life and property.

(b) An order of suspension may be made effective immediately.

(c) The order of suspension must state the reasons for the suspension.

(d) The licensee may petition the District Commander to reconsider the order of suspension. The petition must be in writing, unless the order of suspension takes effect immediately, in which case the petition may be made by any means, but the petition does not delay the effective date of the suspension. The decision of the District Commander is considered a final agency action.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

§ 150.445 When is oil in a single point mooring-oil transfer system (SPM-OTS) displaced with water?

(a) The oil in an SPM-OTS must be displaced with water, and the valve at the pipeline end manifold must be closed whenever:

- (1) A storm warning forecasts weather conditions that will exceed the design operating criteria listed in the operations manual for the SPM-OTS;
- (2) A vessel is about to depart the SPM because of storm conditions; or
- (3) The SPM is not scheduled for use in an oil transfer operation within the next 7 days.

(b) The requirement in paragraph (a) of this section is waived if port officials can demonstrate to the Sector Commander, or MSU Commander, with COTP and OCMI authority that a satisfactory alternative means of safely securing all cargo transfer hoses can be implemented in the event of severe weather conditions.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]